IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 3059 OF 2005

Indian National Shipowners' Association & anr. ..Petitioners

versus

Union of India and others ...Respondents

Mr. J.P. Cama, Senior Advocate, with Mr. A.Shaikh, instructed by Ms. Krishna Tanna for the petitioners.

Mrs. N.V. Masurkar with Mr. N.D.Sharma, instructed by Mr. Pankaj Kapoor for respondent Nos. 1 and 3.

Mr. A.V. Bukhari with Mr. V.S.Gharat for respondent No.2.

Mr. R.N.Salgaonkar, instructecd by M/s. Salgaonkar & Co., for respondent No.4.

CORAM: **SWATANTER KUMAR, C.J.** &
S.C. DHARMADHIKARI, J.

DATE: **APRIL 10, 2007**.

P.C.

In furtherance to the affidavit filed by Mr. A.K. Mohapatra, Secretary in the Ministry of Shipping, Road Transport & Highways (Department of Shipping), Transport Bhavan, 1, Parliament Street, New Delhi, the Officer present in Court has instructed the counsel appearing

for the Union of India to state that the Union of India shall make good the deficiency as well as disburse the entire amount of Rs. 92.78 crores. It will be kept and credited to the account of the Seamen's Provident Fund and further that the Bill referred to in the last order of the Court has already been presented to the Parliament and is under effective consideration of the Competent Authorities.

2. In view of the statement made by the learned counsel for the Union of India, the learned counsel appearing for the respective Unions' submit that the respective Unions' would not indulge into strike on this aspect but may be permitted to take recourse to such other legal remedies as may be permissible to them in law. In view of the joint statement made on behalf of the Union of India and the learned counsel appearing for different Unions, the learned counsel appearing for the petitioners does not press this petiion as it has practically been rendered infructuous. Writ petition is accordingly disposed of, while leaving the parties to bear their own costs.

3. At the request of the learned counsel for the Union of India, the time is granted upto 31st August, 2007, for compliance of the undertakings given in Court.

CHIEF JUSTICE

S.C. DHARMADHIKARI, J.